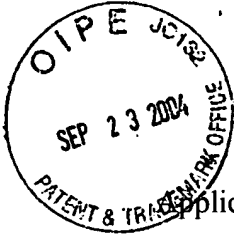


09-24-04

JFN 1645  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Kenneth Tucker, et al. GAU: 1645  
Application No.: 09/813,214 Examiner: Khatols  
Shahnan-Shah  
Filed: 3/20/2001 Attorney Docket No.: 089-999  
Title: *MORAXELLA CATARRHALIS* OUTER MEMBRANE PROTEIN-  
106 POLYPEPTIDE, GENE SEQUENCE AND USES THEREOF

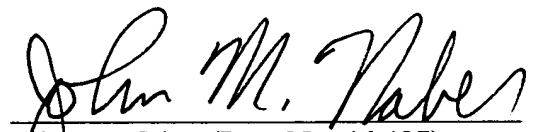
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF SUBSTITUTE SEQUENCE LISTING**  
**PURSUANT TO 37 C.F.R. § 1.825**

In response to a telephone conversation of September 21, 2004 with Examiner Shahnan-Shah advising the sequence listing in computer readable form previously submitted with Applicants' Request for Continued Examination filed July 15, 2004 was found to be flawed, Applicants submit herewith a substitute sequence listing in paper and computer readable form pursuant to 37 C.F.R. §§ 1.821(c) and (e).

I hereby state that the content of the paper and computer readable copies of the Substitute Sequence Listing, submitted in accordance with 37 C.F.R. §§ 1.821(c) and (e), respectively, are the same. I hereby state that the submission herein does not include new matter.

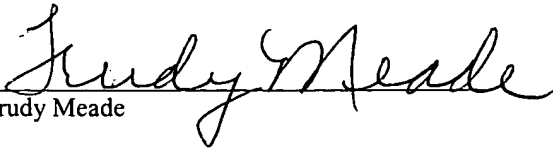
Date: September 22, 2004

  
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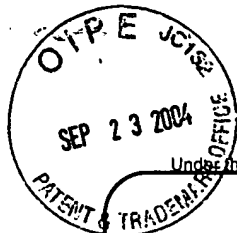
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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/813,214	
	Filing Date	03-20-2001	
	First Named Inventor	Kenneth Tucker, et al	
	Art Unit	1645	
	Examiner Name	Khatols Shahnan-Shah	
Total Number of Pages in This Submission	22	Attorney Docket Number	089-999

**ENCLOSURES** (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Transmittal of Substitute Sequence Listing Paper copy and CFR Return Postcard
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	John M. Naber (Reg. No. 46,487)
Signature	<i>John Naber</i>
Date	22 Sept 2004

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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